

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

**GARRIN DAVID SMITH, # 11304-171
a.k.a. Garrett D. Smith**

PLAINTIFF

VERSUS

CIVIL ACTION NO. 5:09-cv-188-DCB-MTP

JOHNNY MACK BROWN, et al.

DEFENDANTS

ORDER

Before the Court is Plaintiff's motion to dismiss [10] in which he states that he wishes to dismiss the above entitled action. The Court is of the opinion that the same is well taken and should be granted. Accordingly, the Plaintiff's motion to dismiss is **granted** and this cause is hereby **dismissed** without prejudice.

SO ORDERED this the 27th day of January, 2010.

s/David Bramlette
UNITED STATES DISTRICT JUDGE